

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Haruki OKAMURA et al.
 Serial No. : 09/050,249
 Filed : March 30, 1998
 For : IFN- γ PRODUCTION INDUCING PROTEIN AND MONOCLONAL ANTIBODY...

Art Unit: 1646
 Examiner: FITZGERALD, D.
 Washington, D.C.
 Atty.'s Docket: OKAMURA=2B
 Date: May 27, 1999
BY: HANDCARRY

THE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir:

Transmitted herewith is an [X] FIFTH SUPPLEMENTAL PRELIMINARY AMENDMENT in the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
TOTAL	* 30	MINUS	** 30	= 0	x 9	\$	X 18	\$
INDEP.	* 9	MINUS	*** 9	= 0	x 39	\$	X 78	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM								
				+130	\$		+ 260	\$
				Total Additional fee	\$		TOTAL	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
- [] Second - \$190.00
- [] Third - \$435.00
- [] Fourth - \$680.00

Month After Time Period Set

Other than small entity

Response Filed Within

- [] First - \$ 110.00
- [] Second - \$ 380.00
- [] Third - \$ 870.00
- [] Fourth - \$1360.00

Month After Time Period Set

[] Less fees (\$ ____) already paid for ____ month(s) extension of time on _____.
 [] Please charge my Deposit Account No. 02-4035 in the amount of \$ _____. A duplicate copy of this sheet is attached.

[] A check in the amount of ____ is attached (Check No. ____).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.BROWDY AND NEIMARK, P.L.L.C.
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